

GOVERNMENT OF TELANGANA

ABSTRACT

Public Services – Roads & Building Department – Sri Ch.Rama Rao, the then Deputy Superintending Engineer (R&B) (Electrical) (Retired on 31.05.2011) – Trapped by Anti Corruption Bureau on 07.02.2006 – Prosecution orders issued – Prosecution orders set-aside by the Hon'ble High Court of Judicature, for the States of Telangana & Andhra Pradesh, Hyderabad – Further action dropped – orders – Issued.

TRANSPORT, ROADS & BUILDINGS (VIG.R&B) DEPARTMENT

G.O.MS.No. 39

Dated: 19/09/2015

Read the following:

1. From the D.S.P., ACB., Cr.I, Hyderabad, Radio Message dated 8.2.2006.
2. From the D.G., ACB, Hyderabad, Lr.No.34/RCT-CR1/2006, dt.16.05.2006.
3. From the ENC (R&B), Admn.& Roads, Hyderabad Letter No.460/VC(2)/2006, dt. 2.11.2006.
4. G.O.Ms.No.275, Tr&B(VIG.I-2) Dept., dt.29.09.2007.
5. Hon'ble High Court of A.P., Hyderabad, Interim Orders dt. 2.11.2007 in W.P.M.P.No.30601 of 2007 in W.P.No.23411 of 2007 filed by Sri Ch. Rama Rao, Dy.S.E. (R&B), Electrical, Hyderabad.
6. From the D.G., ACB, Hyderabad, Lr.No.34/RCT-CR1/2006, dt.25.01.2008.
7. Hon'ble High Court of Judicature, for the State of Telangana and A.P., Hyderabad, Orders dt. 03.03.2015 in W.P.No.23411 of 2007.
8. From Govt. Pleader for Roads & Buildings, High Court at Hyderabad for State of Telangana and Andhra Pradesh, dt.26.6.2015.

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O R D E R:

Sri Ch. Rama Rao, Deputy Superintending Engineer (R&B), Electrical, Hyderabad, was trapped by the Anti Corruption Bureau, on 07.02.2006 on the allegation he demanded and accepted a bribe amount of Rs.50,000/- as part payment, at his office, from the complainant, for doing official favour, vide reference first read above.

2. On this, subsequently, Government, in consultation with the Director General, Anti Corruption Bureau, Hyderabad in the reference 2nd read above, orders issued for prosecution of Sri Ch. Rama Rao, Deputy Superintending Engineer (R&B), Electrical, Hyderabad, vide reference 4th read above; and, accordingly, charge sheet was filed by the Director General, Anti Corruption Bureau, Hyderabad before the Court of Principal Special Judge for SPE & ACB, Cases, Hyderabad on 07.12.2007 in C.C. No.2/2008, vide reference sixth read above.

3. Aggrieved by the above orders of the prosecution vide reference fourth read above, Sri Ch. Rama Rao, Deputy Superintending Engineer (R&B), Electrical, Hyderabad, has filed Writ Petition No. 23411 of 2007 in the Hon'ble High Court of Andhra Pradesh, "to issue a Writ or Order(s) more particularly one in the nature of Writ of Certiorari for calling the records connected to the issuance of G.O.Ms. No.275, dt.29.9.2007, which was issued without taking into consideration of the enquiry report of the Engineer-in-Chief bearing No.460/VC(2)/2006, dt.2.11.2006, and to set aside the G.O.Ms.No.275,

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dt.29.9.2007 as illegal, arbitrary and malafide, as the Government is to abide by rule(s) 3(1) and Rule 4(1) and 4(2) and consider the enquiry report of the Engineer-in-Chief and consequentially pass such other order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case".

4. On the above said Writ Petition, the Hon'ble High Court of Judicature, for the State of Telangana and Andhra Pradesh, Hyderabad, in their Judgment vide reference seventh read above, in its order dt. 03.03.2015 in W.P.No.23411 of 2007, the operative portion of the judgement as follows:-

"the Court finds no scintilla of hesitation nor any traces of doubt to hold that the impugned G.O. cannot stand for judicial scrutiny. For the aforesaid reasons and having regard to the principles laid down by the Hon'ble Apex Court and this Court in the judgments referred to in the Judgment, writ petition is allowed, setting aside the G.O. Ms. No.275, Transport, Roads and Buildings Department, dated. 29.09.2007. However, it is open for the respondents herein, if so advised, to pass appropriate orders afresh, in accordance with law and in the light of the observations made supra and in the light of the law laid down in the above referred the judgments."

5. The Government Pleader, High Court of Judicature, for the State of Telangana and Andhra Pradesh, Hyderabad, vide reference eighth read above, opined that there are no valid grounds to file an appeal now against the orders of High Court in W.P.No.23411 of 2007 dt. 3.3.2015 as the Govt. filed Vacate Petition and the said vacate petition also dismissed.

6. Government, after careful examination of the judgment of the Hon'ble High Court of Judicature, for the States of Telangana and Andhra Pradesh, Hyderabad, and opinion of the Government Pleader, High Court of Judicature, for the State of Telangana and Andhra Pradesh, Hyderabad, decide and hereby drop further action against Sri Ch. Rama Rao, the then Deputy Superintending Engineer (R&B), Electrical, Hyderabad, (Retired on 31.5.2011).

7. The Engineer-in-Chief (R&B), Administration & Q.C., Hyderabad, shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGAN)

SUNIL SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Individual (through the ENC (R&B), Admn., Hyderabad).

The Engineer-in-Chief (R&B), Administration & Q.C., Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, Telangana, Hyderabad.

The Secretary to Vigilance Commissioner, Telangana, Hyderabad.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER